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PTO/SB/04 (07-08)

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**SUPPLEMENTAL  
DECLARATION FOR UTILITY  
OR DESIGN  
PATENT APPLICATION  
(37 CFR 1.67)**

Attorney Docket Number	104831-0002-103
First Named Inventor	Yan Chang
COMPLETE IF KNOWN	
Application Number	10/657,383
Filing Date	September 8, 2003
Art Unit	1623
Examiner Name	L. C. Maier

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD FOR ENHANCING THE EFFECTIVENESS OF CANCER THERAPIES**

(Title of the invention)

the specification of which

 is attached hereto

OR

 was filed on (MM/DD/YYYY) **09/08/2003** as United States Application Number or PCT International

Application Number

**10/657,383**

and was amended on (MM/DD/YYYY)

**09/08/2003, 12/23/2003,  
06/01/2004, 08/15/2005  
and 05/22/2007**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
			<input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

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**SUPPLEMENTAL DECLARATION — UTILITY OR DESIGN PATENT APPLICATION**

Direct all correspondence to:		<input checked="" type="checkbox"/> The address associated with Customer Number:	28120
OR <input type="checkbox"/> Correspondence address below			
Name FISH & NEAVE IP GROUP, ROPES & GRAY LLP Matthew P. Vincent			
Address One International Place			
City Boston		State MA	ZIP 02110-2624
Country US	Telephone (617) 951-7000	Email	

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:	<input checked="" type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name	Yan	Family Name or Surname	Chang
Inventor's Signature			
Date			
Residence: City Ashland	MA State	United States of America Country	US Citizenship
Mailing Address: 79 Winter Street			
Ashland City	MA State	01721 ZIP	United States of America Country
Name of Second Inventor:	<input checked="" type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name	David	Family Name or Surname	Platt
Inventor's Signature			
Date			
Residence: City Newton Center	MA State	United States of America Country	US Citizenship
Mailing Address: 12 Appleton Circle			
Newton City	MA State	02459 ZIP	United States of America Country
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the <u>1</u> supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			

PTO/SB/04 (07-08)

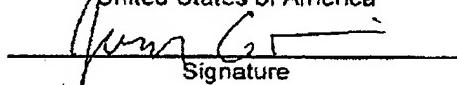
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Pursuant to 37 CFR § 1.47(b), the following representative signs on behalf of the person making the instant application on behalf of and as agent for non-signing inventors Yan Chang and David Platt, who refuse to sign the application oath or declaration:

Joseph Grimm, President  
Prospect Therapeutics, Inc.  
1200 Gill Street, Suite 4700  
Woburn, Massachusetts 01801  
United States of America



Signature

As proof of the above representative's authorization to sign, a Statement Under 37 CFR § 3.73(b) is being filed herewith.

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4 p.

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PAGE 6/7 \* RCVD AT 10/1/2007 6:02:48 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-3/14 \* DNIS:2738300 \* CSID:617 951 7050 \* DURATION (mm:ss):03:28

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PTO/SB/06 (12-05)

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Chang et al.

Application No./Patent No./Control No.: 10/657,383 Filed/Issue Date: September 8, 2003

Entitled: METHOD FOR ENHANCING THE EFFECTIVENESS OF CANCER THERAPIES

Marlborough Research and Development,  
Inc. , a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.

(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

- A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_ Frame \_\_\_\_\_, or a true copy of the original assignment is attached.

OR

- B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: Chang et al. To: GlycoGenesys, Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel 016652, Frame 0688, or for which a copy thereof is attached.
2. From: Mark G. DeGiacomo, Chapter 7 Trustee of GlycoGenesys, Inc. To: Marlborough Research and Development, Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel 018777, Frame 0643, or for which a copy thereof is attached.
3. From: Marlborough Research and Development, Inc. To: Prospect Pharmaceuticals, Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel 018917, Frame 0374, or for which a copy thereof is attached.
4. From: Prospect Pharmaceuticals, Inc. To: Prospect Therapeutics, Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel 018917, Frame 0395, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Jessica L. DiPalma  
Signature

2/8/07  
Date

Jessica L. DiPalma  
Printed or Typed Name

617-640-6406  
Telephone Number

President  
Title

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: 3/14/07 Signature: Mary Jane DiPalma (Mary Jane DiPalma)

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## FAX TRANSMISSION

DATE: October 1, 2007

PTO IDENTIFIER: Application Number 10/657,383  
Patent Number

Inventor: Chang et al.

MESSAGE TO: US Patent and Trademark Office  
Attn: Office of Petitions

FAX NUMBER: (571) 273-8300

FROM: ROPES & GRAY LLP  
Jesse A. Fecker, Ph.D.

PHONE: (617) 951-7633

Attorney Dkt. #: 104831-0002-103

PAGES (Including Cover Sheet): 7

CONTENTS: Request for Reconsideration of Petition Under 37 CFR 1.47(a), 1.183 and 1.48 (2 pages)  
Supplemental Declaration (3 pages)  
Copy of 3.73(b) Statement (1 page)  
This Facsimile Cover Sheet (1 page)

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